

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Panchayats – Gram Panchayats – Appeal Petition filed by Smt. M. Leelakumari, Sarpanch (removed), Ramakrishnapuram Gram Panchayat, Chirala (M), Prakasam District against the proceedings of District Collector (PW), Prakasam District Roc.No.152/2007(Pts)A2, Dt.23-6-2008 – Dismissed – Orders – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (PTS.IIA) DEPARTMENT

G.O. Rt. No. 1611

Date:29.10.2008.

Read the following:

1. From Smt. M. Leelakumari, Sarpanch (removed), Ramakrishnapuram Gram Panchayat, Chirala (M), Prakasam District Appeal petition dt.9.7.2008.
2. From the Dist. Collector, Prakasam, Roc.No. 152/2007(Pts)A2, dt: 23.06.08.
3. Govt Memo No. 17749/Pts.IIA/2008-1, dt: 30.07.08.
4. From the DPO.,Prakasam Dist. Roc. No. 152/2008(Pts) A2,dt:2.-08.08.

ORDER:

In the reference 2nd read above, the District Collector, Prakasam District has removed Smt.M.Leelakumari, from the post of Sarpanch of Ramakrishnapuram Gram Panchayat, Chirala Mandal, Prakasam District under section 249(1) of APPR Act, 1994 for misappropriation and misuse of Gram Panchayat funds.

2. Aggrieved by the above said orders, in the reference 1st read above Smt. M. Leelakumari, Sarpanch (removed), Ramakrishnapuram Gram Panchayat, Chirala (M), Prakasam District has filed an Appeal Petition before the Government requesting to suspend the operation of the orders passed by the District Collector, Prakasam.

3. The District Panchayat Officer, Prakasam District in the reference 4th read above has reported that the Divisional Panchayat Officer, Ongole has gone to Ramakrishnapuram Gram Panchayat for verification of records on the explanation submitted by the Sarpanch to the show cause notice issued by the District Collector, (PW), Ongole dt.30.5.2008 and requested the Sarpanch to attend the Gram Panchayat Office at 3.00 PM on 20.6.2008 with out fail but the Sarpanch has not attended and she is totally failed to produce records before the enquiry officers. In the mean time the removed Sarpanch has filed a W.P. before the Hon'ble High Court and the Hon'ble High Court has sent telegram message stating that not to implement the orders dated 23.6.2008 for a period of 4 weeks, but the Mandal Parishad Development Officer has stated that already a new body of the said Panchayat has come into force on 2.8.2008 and also stated that he has received the endorsement letter on 2.8.2008.

4. The case was posted for hearing on 23-9-2008 and the petitioner failed to attend the hearing. As such the case was adjourned to 13.10.2008. In spite of service of notice, the petitioner failed to attend the hearing either by herself or through her advocate. Hence the case is decided based on records. It is on record that the petitioner has been served with a show cause notice on 2.6.2008 by the District Collector (PW) duly enclosing the enquiry report of Divisional Panchayat Officer, Ongole and Extension Officer, Chirala before passing the orders of removal. In reply to the show cause notice the petitioner has stated that she will produce the Bills and vouchers and the relevant records. As such the District Panchayat Officer has visited the village on 20.6.2008 with prior intimation to the petitioner to attend the enquiry and she failed to attend and produce the records to the enquiry officer.

(p.t.o)

5. The Government after careful examination of the records, observe that, in the absence of any recorded evidence, it is construed that the petitioner as an elected Sarpanch of Gram Panchayat failed to properly account for the funds withdrawn by her under various heads and thus misappropriated the precious funds of Gram Panchayat and found guilty of the charges leveled against her by the District Collector (PW), Prakasam District. Even she has not availed the opportunity of hearing held by the appellate authority. It is therefore construed that the petitioner is not in possession of any piece of recorded evidence to rebut the allegation / charges leveled against her. If she is having any material evidence she ought to have come forward to prove that she is not guilty. She is avoiding herself intentionally to avail the opportunities provided to her. Therefore there is no illegality irregularity or impropriety in the impugned order of the District Collector (PW), Prakasam District. The Appeal Petition is therefore disallowed and the order of District Collector (PW), Prakasam is hereby confirmed.

6. The District Collector (PW), Prakasam District is requested to take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**CHITRA RAMCHANDRAN
SECRETARY TO GOVERNMENT**

To

Smt. M. Leelakumari, Sarpanch (removed),
Ramakrishnapuram Gram Panchayat, Chirala (M), Prakasam District.
The Commissioner, Panchayat Raj and Rural Employment, Hyderabad.
The District Collector (PW), Prakasam District.
The District Panchayat Officer, Prakasam District.
Sf/Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER